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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5461
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 0044
RUEHNE/AMEMBASSY NEW DELHI 3636
RUEHUL/AMEMBASSY SEOUL 7142
RUDKIA/AMCONSUL CHIANG MAI 0738
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 2953
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 0616
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 001727

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E.O. 12958: DECL: 11/01/2016

TAGS: [PGOV](#) [PREL](#) [ELAB](#) [BM](#)

SUBJECT: ILO TAKES A HARD LINE ON BURMA

REF: A. RANGOON 1518

[1](#)B. RANGOON 1701

Classified By: P/E Chief Leslie Hayden for Reasons 1.4 (b) and (d)

[1](#)1. (C) Summary: ILO Liaison Officer Richard Horsey said the ILO Director General would deliver a letter on November 24 to SYG Annan and U/SYG Gambari, summarizing Burma's lack of progress on forced labor. The letter will state that Burma is not cooperating to find a mechanism to address forced labor claims. The ILO DG has concluded Burma's Labor Minister has not engaged in good-faith negotiations and only seeks to stall ILO action. Horsey suggested UNSC members raise Burma's lack of progress on forced labor during Gambari's November 27 briefing to the Council. Since Gambari's last visit, when he raised ILO negotiations with Than Shwe, there has been no indication the regime is ready to compromise. The Burmese government should not be allowed to kill initiatives it does not like and expect to move forward with the "good offices" process. End summary.

[1](#)2. (C) In a November 24 meeting with the Charge d'Affaires, International Labor Organization (ILO) Liaison Officer Richard Horsey said the ILO Director General would deliver a letter to Secretary General Annan and U/SYG Gambari on November 24, laying out the latest developments regarding Burma. Horsey said the tone of the Conclusions Concerning Myanmar, issued on November 16 by the ILO Governing Body after the 297th session, does not accurately portray the mood of the Governing Body. In contrast to the conciliatory and business-like tone of the conclusions, the Governing Body's real mood toward Burma was very tough, Horsey emphasized. Even members of the Employers' Group were upset with Burma's lack of progress but uncomfortable being on record. The tone of the Conclusions was the compromise that allowed the members to state the ILO would pursue its legal options, including bringing the case to the International Court of Justice, during their upcoming session in March.

[1](#)3. (C) Horsey said the ILO Director General was very upset with Burma's Labor Minister, U Thaung, who Horsey believes has been lying. Horsey said that during the recent negotiations between the ILO and Burma to find a mechanism to address forced labor claims, U Thaung told the ILO

negotiators he would personally brief the regime's senior leadership to gain a more flexible position (ref A). Gambari's meetings with Than Shwe during his November 9-12 visit to Burma clearly showed the Labor Minister had not given Than Shwe an accurate picture of the serious impasse in the negotiations (ref B). As a result, Horsey said, the ILO DG concluded Burma had not engaged in good-faith negotiations with the ILO, but stalled to avoid consequences.

¶4. (C) As a next step, the Director General will send a letter to Annan and Gambari. In it, the DG will emphasize that resolving forced labor claims should be key to changing the international community's relationship with Burma. Horsey suggested it would be useful if UNSC members would raise Burma's lack of progress on forced labor during Gambari's November 27 briefing to the Security Council. The regime should not be allowed to kill initiatives it does not like and still expect to move forward with the "good offices" process, Horsey said. He pointed out that China and Russia, involved members of the ILO, have often used Burma's past concessions on forced labor as an example of the regime's progress. Additionally, Gambari told the Burmese Generals that stalled progress on forced labor would be a key test for the regime. However, after two visits by Gambari, the regime has done nothing to indicate a willingness to halt forced labor. Horsey said the DG's letter will make clear to Gambari the official position of the ILO: Burma is not cooperating.

¶5. (C) Horsey said that his Burmese government contacts have told him the Generals know Gambari's visit did not go well. If Burma is going to make progress on forced labor before the ILO Governing Body session in March, the Labor Minister will need to brief the senior Generals fully and frankly, Horsey

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said. Referring Burma to the ICJ may actually bolster the arguments of those in the government who take a less hard-line view on cooperating with the UN, such as the Prime Minister and the Foreign Minister, according to Horsey. Sources point to the Labor Minister as one of the biggest obstacles to progress. U Thaung has managed to convince the senior leadership that he can resolve the forced labor issue.

The Labor Minister may be giving the senior leadership bad information on the negotiations, in Horsey's opinion, to convince Burma to denounce the International Labor Convention, quit the ILO, and kick the ILO out of Burma once and for all.

¶6. (C) Horsey's sources have told him the Labor Minister and the Minister of Home Affairs are two of the most hard-line Cabinet members. The Labor Minister tells the senior Generals that the ILO is in league with Aung San Suu Kyi and the NLD, while the Home Affairs Minister claims the ICRC leaks information to the Association for Assistance to Political Prisoners (AAPP) and gives material assistance to armed ethnic groups. However, they may have under-estimated the impact of defying the ILO, particularly if trade unions refuse to handle cargo bound to and from Burma. The ministers should not "create monsters they cannot control," Horsey concluded.

¶7. (C) Comment: We doubt that the Labor Minister feeds wrong information to Than Shwe, but he may, like most officials, avoid giving bad news and instead offers assurances that the situation is under control. A hard-line position probably suits Than Shwe since opening to the ILO would inevitably lead to further pressures to open. Than Shwe cannot maintain absolute power to protect his interests if he opens. End comment.

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